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8 VARIAN MEDICAL SYSTEMS, INC.

9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 SAN FRANCISCO DIVISION

12 UNIVERSITY OF PITTSBURGH OF THE  
13 COMMONWEALTH SYSTEM OF HIGHER  
14 EDUCATION d/b/a UNIVERSITY OF  
15 PITTSBURGH, a Pennsylvania non-profit  
corporation (educational),

16 Plaintiff,

17 v.

18 VARIAN MEDICAL SYSTEMS, INC., a  
Delaware corporation,

19 Defendant.  
20

Case No. CV 08 2973

**DECLINATION TO PROCEED  
BEFORE A MAGISTRATE JUDGE  
AND  
REQUEST FOR REASSIGNMENT  
TO A UNITED STATES DISTRICT  
JUDGE**

21 REQUEST FOR REASSIGNMENT TO A UNITED STATES DISTRICT JUDGE

22 The undersigned party hereby declines to consent to the assignment of this case to a  
23 United States Magistrate Judge for trial and disposition and hereby requests the reassignment of  
24 this case to a United States District Judge.

1 Dated: June 19, 2008.

2 ORRICK, HERRINGTON & SUTCLIFFE LLP

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4 By: /s/ Zheng Liu  
5 Zheng Liu  
6 Attorneys for Defendant  
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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the DECLINATION TO PROCEED  
BEFORE A MAGISTRATE JUDGE AND REQUEST FOR REASSIGNMENT TO A UNITED  
STATES DISTRICT JUDGE was served upon the University of Pittsburgh, through its counsel,  
via:

_____	Hand-Delivery
_____	Facsimile
_____	First Class, US Mail, Postage Prepaid
_____	Certified Mail-Return Receipt Requested
<u>  X  </u>	ECF Electronic Service
_____	Overnight Delivery

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Dated: June 19, 2008

/s/ Zheng Liu  
Zheng Liu